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3400 W Plano Parkway				
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Plano, TX 75075				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/531,527

Applicant(s)

XU ET AL.

Examiner

SHARAD RAMPURIA

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 19-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 19-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/5508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

Claims are objected to because of the following informalities: Claims that contain the following **acronym**:

ISDN, should correlate with a description. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-4 & 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Britt; Margaret et al.** [US 6226517 B1] in view of **Slutsman; Lev et al.** [US 6058313 A].

As per claim 1, **Britt** teaches:

A method for minimizing call setup delay for a call in a communication network, wherein the communication network includes a central node connected to a number portability database (Abstract), the method comprising:

triggering a first query to the central node for information for routing the call when a request for setting up the call is received by a switching unit; (Col.4; 25-43, Col.1; 49-Col.2; 19)

triggering a second query from the central node to a home location register for the routing information in order to set up the call; (Col.4; 44-56) and

Britt doesn't teach specifically, triggering a third query from the central node to the number portability database for the routing information if the second query fails to provide the routing information. However, **Slutsman** teaches in an analogous art, that triggering a third query from the central node to the number portability database for the routing information if the second query fails to provide the routing information. (Col.5; 54-Col.6; 17, Col.4; 3-29, Col.8; 16-25) Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to including triggering a third query from the central node to the number portability database for the routing information if the second query fails to provide the routing information in order to provide a method for enhancing call processing in a number portability environment. In particular, the invention reduces post-dial delay enabling faster attempts at routing calls to portable numbers.

As per claim 2, **Britt** teaches:

The method of claim 1 further comprising selecting the home location register from a first table accessible to the central node, wherein the home location register is selected based on a mobile station ISDN and a state of a flag. (Col.3; 20-43)

As per claim 3, **Britt** teaches:

The method of claim 1 further comprising searching a second table for a location routing number before triggering the second query, wherein the second query is only triggered if the location routing number is not found in the second table. (Col.3; 33-43)

As per claim 4, **Britt** teaches:

The method of claim 1 wherein the home location register has a number portability mapping database for mapping ported numbers, wherein each mobile phone known to the home location register is identifiable by its mobile station ISDN number, and wherein triggering the second query includes searching number portability mapping database for a mobile station ISDN number associated with the call. (Col.3; 20-43)

Claim 19 is the **system** claim, corresponding to **method** claim 1 respectively, and rejected under the same rational set forth in connection with the rejection of claim 1 respectively, above.

As per claim 20, **Britt** teaches:

The telecommunications system of claim 19 further comprising a number portability database (NPDB) connected to the central node, and instructions for querying the NPDB if no match is found after searching of the first and second tables. (Col.3; 20-43)

As per claim 21, **Britt** teaches:

The telecommunications system of claim 19 further comprising a network switch in communication with the central node, wherein the network switch is adapted for querying the central node for routing information when the switch receives a request to set up the call. (Col.3; 20-43)

Claims 5-6 & 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Britt & Slutsmann** further in view of **Mazzarella; Nick J. et al.** [US 6819921 B2].

As per claim 5, the above combination teaches all the particulars of the claim except wherein the call is made from one wireless communication network to another. However, **Mazzarella** teaches in an analogous art, that the method of claim 1 wherein the call is made from one wireless communication network to another. [Col.2; 60-66] Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to including wherein the call is made from one wireless communication network to another in order to provide a method of porting of a wireless number for a mobile station.

Claims 6, 22-23 are the **method, system** claims, corresponding to **method** claim 5 respectively, and rejected under the same rational set forth in connection with the rejection of claim 5 respectively, above.

Response to Remarks

Applicant's arguments with respect to claims 1-6, 19-23, have been fully considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharad Rampuria whose telephone number is (571) 272-7870. The examiner can normally be reached on M-F. (8:30-5 EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne Bost can be reached on (571) 272-7023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000 or

EBC@uspto.gov.

/Sharad Rampuria/
Primary Examiner
Art Unit 2617